



## Short Report

## The ethics of marketing cancer



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## ABSTRACT

Cancer care is big business and there are significant opportunities for unethical marketing practices by various segments of the industry. Because the target population is especially vulnerable, it is essential that strict ethical guidelines are adopted and that appropriate oversight be put in place to ensure compliance. The primary stakeholders for marketing are pharmaceutical companies and large medical centers striving for increased market share. The target populations for marketing of cancer include practitioners as well as consumers. The latter group is especially vulnerable because of fears and anxiety related to their diagnosis. Recommendations for cancer marketing include: (1) ensuring fair and balanced promotion of cancer services, (2) avoiding exaggeration of claims in the context of reputational marketing, (3) providing data and statistics to back up direct and implied assertions whenever possible and (4) defining eligible patient groups in the context of marketing for research.

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Cancer care in the United States is big business. In 2009, the National Institutes of Health estimated that the total cost of cancer was \$216.6 billion with direct expenditures for cancer-related health care totaling \$86.6 billion [1]. It is not surprising, therefore, that a substantial amount is invested into marketing for cancer services and products each year. The stakeholders can be divided into promotional entities and entities at whom marketing is directed. The largest, and financially most invested component in the former group is the pharmaceutical manufacturers, with additional marketing conducted by hospitals and by individual physicians or physician group practices. Largely, the target of cancer-related marketing is the consumer; this direct-to-consumer advertising can be defined as unsolicited promotion by an entity to provide information about medicines or medical services in the popular media [2]. The other targets of marketing are providers, making this group unique in that they both receive and convey marketing information.

## Ethical issues

Cancer patients, and individuals who are concerned about the development of cancer, are particularly vulnerable because the disease is so feared [3]. While it is not currently considered immoral to market to vulnerable populations, as some have previously claimed [4], these individuals may be at greater risk of harm to intrinsically immoral marketing approaches [5]. Care must be taken to abide by

the tenants of ethical marketing put forth by the American Marketing Association [6] and ensure that honesty, fairness, respect, transparency and citizenship are core principles of any cancer marketing campaign.

Pharmaceutical marketing for cancer-related products is regulated by the FDA and credible evidence for any claims represented is required. However, neither the FDA nor the FTC regulate advertisements distributed by not-for-profit entities such as hospitals and medical centers. Cancer marketing by hospitals and cancer centers focus on “emotion more than fact” [7] and may be misleading, implying that new equipment or new services will lead to improved outcomes without providing data to substantiate such assertions. The recent publication by Vater et al. [8] highlights that cancer centers in particular infrequently provide information about risks and costs but rather focus on emotional messages that utilize hope and fear as primary motivators.

## Approaches to cancer marketing

The purpose of direct-to-consumer advertising by pharmaceutical companies is to sell more product, not to broadly educate the population [3]. Studies have suggested, however, that such advertising may influence prescribing behavior as patients question their providers about medications they have been exposed to through the media [9]. It is felt that intense marketing of erythropoietin stimulating agents (Procrit®, Aranesp®) to consumers, following approval by FDA for their use in chemotherapy-associated anemia in 1993, led in part to the dramatic increase in utilization of these agents.

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The goals of marketing cancer services by hospitals and cancer centers are to ultimately increase market share. Such ads are very prevalent. Woloshin et al. found that academic medical centers issue about 50 press releases annually, often promoting research that has uncertain relevance to human health [10]. This marketing is often reputational in nature, directed at current but also future patients [7]. Reputation is a powerful marketing asset and may drive patients to a specific location for care. Advertisements are often structured as patient testimonials, or involve description of new and unique equipment or services with little specific data about outcomes [3].

### Advantages of cancer marketing for the consumer

Marketing by pharmaceutical companies and medical centers can be beneficial. It may provide information to consumers and to practitioners that improves patient care. Direct-to-consumer advertisements can prompt patients to engage in communication with their cancer provider about new medicines or new approaches for their disease. In addition, consumers may be alerted to signs and symptoms of cancer and seek medical evaluation.

### Disadvantages of cancer marketing

Marketing, especially by medical centers, is often not data driven and may intentionally avoid mention of outcomes and direct relevance to contemporary cancer care. Testimonials may be misleading or misinterpreted and patients may assume that excellent outcomes achieved by the patient giving the testimonial represents the average, or usual outcome for all patients. When describing research, advertisements rarely mention that most patients may not be eligible for clinical trials or that the trials are focused on a narrow subset of the cancer population [7]. Finally, cost is rarely mentioned in advertisements – increases in both societal costs for new technologies and individual costs, if patients' insurance does not cover non-standard treatment approaches, may result from increased utilization [8]. All of these disadvantages are amplified by the fact that cancer patients represent an extremely vulnerable sector of the population.

### Recommendations

Since the component of health care expenditures attributable to cancer is great, it is reasonable to expect that pharmaceutical companies, medical centers and practices will desire to advertise their services in order to increase market share. Given the unique vulnerability of the population targeted, however, it is essential that such marketing activities do not take advantage of a cancer patient's fears and underlying anxiety. Recommendations for marketing cancer include:

1. Achieve a fair balance and ensure satisfaction of AMA ethical principles.
2. Reputational marketing is acceptable but exaggerated claims should be avoided.
3. Provide data and statistics about new technologies and approaches or be transparent if such data does not exist.

4. When promoting research, include information about what segment of the potential patient population may be eligible or may benefit.

The main obstacle to fair and balanced marketing is the enormous health care dollars spent on cancer care in the United States each year. Marketing by pharmaceutical companies is regulated but the FDA should have heightened scrutiny for cancer-related advertising. Hospitals are not currently regulated. However, oversight of marketing activities could be performed by the main accrediting agency for hospitals, the Joint Commission. If new guidelines were put in place it is extremely likely that marketing practices would be quickly modified to satisfy Joint Commission guidelines since accreditation is so critical to individual hospitals. Private practitioner marketing is generally on a smaller scale, and hence may not have the impact of other cancer-related marketing activities. Regulation of private practice advertising would fall to the state boards of registration in medicine. It is not likely that these boards would willingly assume this responsibility.

### Summary

Cancer care is big business and there are significant opportunities for unethical marketing practices by various segments of the industry. Because the target population is especially vulnerable, it is essential that strict ethical guidelines are adopted and that appropriate oversight be put in place to ensure compliance.

### Financial disclosures

None.

### Conflict of interest

The author has no conflicts of interest to disclose.

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